



22249

PATENT TRADEMARK OFFICE

Patent  
247/164

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Joel B. Epstein

Group Art Unit: 1614

Serial No.: 09/433,418

Examiner: To Be Assigned

Filed: November 4, 1999

For: TOPICAL AZATHIOPRINE FOR THE  
TREATMENT OF ORAL AUTOIMMUNE  
DISEASES

## TRANSMITTAL OF MISSING PARTS

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

## I. DOCUMENTS ENCLOSED:

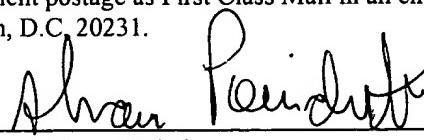
In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on December 6, 1999, enclosed are:

- Declaration
- Power of Attorney:  Separate or  Combined with Declaration
- Assignment of the invention to \_\_\_\_\_ (together with PTO Form 1595)
- A Verified Statement to establish "Small Entity Status" under 37 CFR §§ 1.9 and 1.27
- A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f)

CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

January 26, 2000  
Date of Deposit

  
Shawn Poindexter

**II. REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/>	one month	\$55.00
<input type="checkbox"/>	two months	\$190.00
<input type="checkbox"/>	three months	\$435.00
<input type="checkbox"/>	four months	\$680.00
<input type="checkbox"/>	five months	\$925.00

Fee

- If any extension fee is required, please consider this a petition therefor.

**III. FILING FEES**

<b>BASIC FILING FEE:</b>						\$760.00	
Total Claims	36	-	20	=	16	x \$18.00	\$288.00
Independent Claims	2	-	3	=	0	x \$78.00	\$0.00
Multiple Dependent Claims	\$260	(if applicable)			<input type="checkbox"/>		\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)			<input checked="" type="checkbox"/>		\$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$1,178.00	
Reduction by $\frac{1}{2}$ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.						<input checked="" type="checkbox"/> \$589.00	
Extension of Time (from above)						\$0.00	
Assignment -- \$40 (if applicable)						<input type="checkbox"/> \$0.00	
<b>TOTAL FEES SUBMITTED HEREWITH</b>						\$589.00	

**IV. METHOD OF PAYMENT OF FEES:**

- A check in the amount of \$589.00 is enclosed to cover the above fee(s).
- Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of \_\_\_\_\_.

- The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. 12-2475 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: January 26, 2000

By: Charles M. Doyle  
Charles M. Doyle  
Reg. No. 39,175

633 West Fifth Street, Suite 4700  
Los Angeles, California 90071-2066  
(213) 489-1600



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

573

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/432,418	11/04/99	EPSTEIN.	J 2447028

0242/1206

NOT ASSIGNED

CHARLES M DOYLE  
LYON & LYON LLP  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES CA 90071-2066

1614

DATE MAILED:

12/06/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 389.00.

1. The statutory basic filing fee is:

- missing.  
 insufficient.

Applicant must submit \$ 380.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ 144.00 for 10 total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unsigned.  
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

*Ruth Sjolander*  
**A copy of this notice MUST be returned with the reply.**

02/01/2000 ZENHIE 00000005 09433418

01 FC:201

02 FC:203

03 FC:205

380.00 DP

144.00 DP

65.00 DP

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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